



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB3745

by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.128
105 ILCS 5/13A-5
105 ILCS 5/27A-5
105 ILCS 433/10

Amends the School Code and the Vocational Academies Act. Requires alternative schools and charter schools to establish vocational academies for students in grades 10 through 12, in partnership with school districts, community colleges, local employers, and community-based organizations. Sets forth requirements concerning these academies. Permits the State Board of Education to adopt any rules necessary to implement and administer these provisions.

LRB098 14701 NHT 49574 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Sections
5 2-3.128, 13A-5, and 27A-5 as follows:

6 (105 ILCS 5/2-3.128)

7 Sec. 2-3.128. Job training program; prohibition. Except as
8 otherwise provided in subsection (b) of Section 10 of the
9 Vocational Academies Act, the ~~The~~ State Board of Education
10 shall not require a school district or a student of any
11 district to participate in any school-to-work or job training
12 program.

13 (Source: P.A. 91-175, eff. 1-1-00; 92-16, eff. 6-28-01.)

14 (105 ILCS 5/13A-5)

15 Sec. 13A-5. Alternative school program curriculum.

16 (a) The regional superintendent shall implement, or
17 contract with one or more school districts to implement, a
18 multi-disciplinary curriculum, which shall include a
19 vocational academy as provided under subsection (b) of Section
20 10 of the Vocational Academies Act and may otherwise include
21 work-based learning and community service work approved by the
22 regional superintendent of schools in consultation with the

1 State Board of Education for which academic credit is earned,
2 for the alternative school program designed to address the
3 individualized needs of the students of that program, with
4 special emphasis toward making the educational experience of
5 each student meaningful and worthwhile. In the design and
6 implementation of that curriculum, the regional superintendent
7 or school district shall give due consideration to the rules
8 and regulations adopted by the State Board of Education for
9 alternative schools and optional education programs. The
10 regional superintendent or school district (i) may contract
11 with third parties for any services otherwise performed by
12 employees and (ii) may apply for waivers or modifications of
13 mandates of this Code or of administrative rules as provided in
14 Section 2-3.25g of this Code and as are necessary for the
15 alternative school program.

16 (b) An administratively transferred student who
17 successfully completes the requirements for his or her high
18 school graduation shall receive a diploma identifying the
19 student as graduating from the transferring high school. In the
20 event the student is administratively transferred before
21 enrolling in a high school, then that student shall receive a
22 diploma from the high school the student would have attended if
23 the student had not attended an alternative school program.

24 (Source: P.A. 90-283, eff. 7-31-97; 91-318, eff. 7-29-99.)

1 Sec. 27A-5. Charter school; legal entity; requirements.

2 (a) A charter school shall be a public, nonsectarian,
3 nonreligious, non-home based, and non-profit school. A charter
4 school shall be organized and operated as a nonprofit
5 corporation or other discrete, legal, nonprofit entity
6 authorized under the laws of the State of Illinois.

7 (b) A charter school may be established under this Article
8 by creating a new school or by converting an existing public
9 school or attendance center to charter school status. Beginning
10 on the effective date of this amendatory Act of the 93rd
11 General Assembly, in all new applications submitted to the
12 State Board or a local school board to establish a charter
13 school in a city having a population exceeding 500,000,
14 operation of the charter school shall be limited to one campus.
15 The changes made to this Section by this amendatory Act of the
16 93rd General Assembly do not apply to charter schools existing
17 or approved on or before the effective date of this amendatory
18 Act.

19 (b-5) In this subsection (b-5), "virtual-schooling" means
20 the teaching of courses through online methods with online
21 instructors, rather than the instructor and student being at
22 the same physical location. "Virtual-schooling" includes
23 without limitation instruction provided by full-time, online
24 virtual schools.

25 From April 1, 2013 through April 1, 2014, there is a
26 moratorium on the establishment of charter schools with

1 virtual-schooling components in school districts other than a
2 school district organized under Article 34 of this Code. This
3 moratorium does not apply to a charter school with
4 virtual-schooling components existing or approved prior to
5 April 1, 2013 or to the renewal of the charter of a charter
6 school with virtual-schooling components already approved
7 prior to April 1, 2013.

8 On or before March 1, 2014, the Commission shall submit to
9 the General Assembly a report on the effect of
10 virtual-schooling, including without limitation the effect on
11 student performance, the costs associated with
12 virtual-schooling, and issues with oversight. The report shall
13 include policy recommendations for virtual-schooling.

14 (c) A charter school shall be administered and governed by
15 its board of directors or other governing body in the manner
16 provided in its charter. The governing body of a charter school
17 shall be subject to the Freedom of Information Act and the Open
18 Meetings Act.

19 (d) A charter school shall comply with all applicable
20 health and safety requirements applicable to public schools
21 under the laws of the State of Illinois.

22 (e) Except as otherwise provided in the School Code, a
23 charter school shall not charge tuition; provided that a
24 charter school may charge reasonable fees for textbooks,
25 instructional materials, and student activities.

26 (f) A charter school shall be responsible for the

1 management and operation of its fiscal affairs including, but
2 not limited to, the preparation of its budget. An audit of each
3 charter school's finances shall be conducted annually by an
4 outside, independent contractor retained by the charter
5 school. Annually, by December 1, every charter school must
6 submit to the State Board a copy of its audit and a copy of the
7 Form 990 the charter school filed that year with the federal
8 Internal Revenue Service.

9 (g) A charter school shall comply with all provisions of
10 this Article, the Illinois Educational Labor Relations Act, and
11 its charter. A charter school is exempt from all other State
12 laws and regulations ~~in the School Code~~ governing public
13 schools and local school board policies, except all of the
14 following:

15 (1) Sections 10-21.9 and 34-18.5 of the School Code
16 regarding criminal history records checks and checks of the
17 Statewide Sex Offender Database and Statewide Murderer and
18 Violent Offender Against Youth Database of applicants for
19 employment.†

20 (2) Sections 24-24 and 34-84A of the School Code
21 regarding discipline of students.†

22 (3) The Local Governmental and Governmental Employees
23 Tort Immunity Act.†

24 (4) Section 108.75 of the General Not For Profit
25 Corporation Act of 1986 regarding indemnification of
26 officers, directors, employees, and agents.†

- 1 (5) The Abused and Neglected Child Reporting Act.~~+~~
- 2 (6) The Illinois School Student Records Act.~~+~~
- 3 (7) Section 10-17a of the School Code regarding school
- 4 report cards.~~+~~~~and~~
- 5 (8) The P-20 Longitudinal Education Data System Act.
- 6 (9) The Vocational Academies Act.

7 The change made by Public Act 96-104 to this subsection (g)

8 is declaratory of existing law.

9 (h) A charter school may negotiate and contract with a

10 school district, the governing body of a State college or

11 university or public community college, or any other public or

12 for-profit or nonprofit private entity for: (i) the use of a

13 school building and grounds or any other real property or

14 facilities that the charter school desires to use or convert

15 for use as a charter school site, (ii) the operation and

16 maintenance thereof, and (iii) the provision of any service,

17 activity, or undertaking that the charter school is required to

18 perform in order to carry out the terms of its charter.

19 However, a charter school that is established on or after the

20 effective date of this amendatory Act of the 93rd General

21 Assembly and that operates in a city having a population

22 exceeding 500,000 may not contract with a for-profit entity to

23 manage or operate the school during the period that commences

24 on the effective date of this amendatory Act of the 93rd

25 General Assembly and concludes at the end of the 2004-2005

26 school year. Except as provided in subsection (i) of this

1 Section, a school district may charge a charter school
2 reasonable rent for the use of the district's buildings,
3 grounds, and facilities. Any services for which a charter
4 school contracts with a school district shall be provided by
5 the district at cost. Any services for which a charter school
6 contracts with a local school board or with the governing body
7 of a State college or university or public community college
8 shall be provided by the public entity at cost.

9 (i) In no event shall a charter school that is established
10 by converting an existing school or attendance center to
11 charter school status be required to pay rent for space that is
12 deemed available, as negotiated and provided in the charter
13 agreement, in school district facilities. However, all other
14 costs for the operation and maintenance of school district
15 facilities that are used by the charter school shall be subject
16 to negotiation between the charter school and the local school
17 board and shall be set forth in the charter.

18 (j) A charter school may limit student enrollment by age or
19 grade level.

20 (k) If the charter school is approved by the Commission,
21 then the Commission charter school is its own local education
22 agency.

23 (Source: P.A. 97-152, eff. 7-20-11; 97-154, eff. 1-1-12;
24 97-813, eff. 7-13-12; 98-16, eff. 5-24-13.)

25 Section 10. The Vocational Academies Act is amended by

1 changing Section 10 as follows:

2 (105 ILCS 433/10)

3 Sec. 10. Establishment.

4 (a) A school district, in partnership with community
5 colleges, local employers, and community-based organizations,
6 may establish a vocational academy that is eligible for a grant
7 under this Act if the vocational academy meets all of the
8 following requirements:

9 (1) The vocational academy must have a minimum
10 5-clock-hour day and be under the direct supervision of
11 teachers.

12 (2) The vocational academy must be a 2-year school
13 within a school program for grades 10 through 12 that is
14 organized around a career theme and operated as a
15 business-education partnership.

16 (3) The vocational academy must be a career-oriented
17 program that uses the direct involvement of local employers
18 to provide students with an education and the skills needed
19 for employment.

20 (4) The vocational academy must be a standards-based
21 educational program that prepares students both
22 academically and technically for entrance into
23 postsecondary education or careers in a selected field.

24 (5) The curriculum of the vocational academy must be
25 based on the Illinois Learning Standards, and work-site

1 training must provide students with learning experiences
2 for entry-level employment in the local job market and
3 lifelong learning skills for higher education.

4 (b) Beginning with the 2015-2016 school year, alternative
5 schools established under Article 13A of the School Code and
6 charter schools established under Article 27A of the School
7 Code shall establish vocational academies for students in
8 grades 10 through 12, in partnership with school districts,
9 community colleges, local employers, and community-based
10 organizations. A vocational academy established under this
11 subsection (b) must meet all of the requirements set forth in
12 subsection (a) of this Section. More than one vocational
13 academy may be established within the same school. With respect
14 to charter schools, the school board of the school district
15 where the charter school is located shall select the career
16 theme for the vocational academy.

17 Students of the alternative or charter school enrolled in
18 grades 10 through 12 must participate in the vocational academy
19 program established under this subsection (b). The alternative
20 or charter school may require a participant to meet
21 occupational standards for grade level promotion or
22 graduation. A student who successfully completes the
23 vocational academy program shall receive a certificate,
24 developed by the State Board of Education, indicating the type
25 of training he or she has received.

26 The State Board of Education may adopt any rules necessary

1 to implement and administer this subsection (b).

2 (Source: P.A. 94-220, eff. 7-14-05.)